

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MOSES L. BURRELL,

Defendant.

Case No. 5:25-po-00106-CDB

CVB Violation 09887804 / CA14

**ORDER REQUIRING UNITED STATES OF
AMERICA TO FILE REPORT AND
DECLARATION**

7-Day Deadline

On March 6, 2025, Defendant Moses L. Burrell was issued Violation Notice 09887804 for violating Section 22349 of the California Vehicle Code (speeding), with a total collateral due of \$230.00. (Doc. 1). On May 14, 2025, Defendant made a partial payment of \$130.00 toward the collateral. (Doc. 3). On June 6, 2025, Defendant failed to appear for a noticed initial appearance on the citation. As a result, an additional \$100.00 penalty was assessed and the Court issued an arrest warrant and ordered the lodging of an abstract with the Department of Motor Vehicles. (Docs. 4, 5).

On July 9, 2025, Defendant contacted the undersigned's courtroom deputy via email. In his email, Defendant represented his version of the citation he received listed only \$130.00 as a total collateral due (not \$230.00, as reflected on the docked version of the citation). Defendant attached to his email a copy of the original citation (attached hereto as Exhibit A).

1 The following day (July 10, 2025), counsel for the government (Capt. Matthew H. Norwood)
2 contacted the undersigned's courtroom deputy via email to request that an "adjustment" be made to
3 Defendant's total collateral due (in the form of a \$100.00 reduction). In his email, Capt. Norwood
4 included earlier correspondence he had with a representative of the Central Violations Bureau of the
5 Administrative Office of the U.S. Courts, in which he appeared to characterize the \$100.00
6 discrepancy between Defendant's version of the citation, and the docketed version, as "an internal
7 error on our end."

8 Based on the events recounted above, it appears to the Court that the officer who cited
9 Defendant may have increased the total collateral due reflected on the citation after citing Defendant
10 but before reporting the citation to the Central Violations Bureau. If true, the government's conduct
11 has unnecessarily and unreasonably multiplied these proceedings by causing (directly or indirectly) a
12 finding that Defendant failed to appear for a duly noticed court hearing, resulting in the imposition of a
13 failure-to-appear penalty and issuance of arrest warrant and vehicle abstract. Accordingly, the Court
14 will direct the government to file a report and include a declaration by the citing officer signed under
15 penalty of perjury explaining the discrepancy.

16 **Conclusion and Order**

17 Accordingly, the Court HEREBY ORDERS the United States of America to file within seven
18 (7) days of entry of this order (1) a report from counsel for the government and (2) a declaration by the
19 citing officer explaining the discrepancies in the versions of the citation noted herein.

20 Any failure to timely comply with this order may result in the imposition of sanctions.

21 IT IS SO ORDERED.

22 Dated: **July 14, 2025**

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25 UNITED STATES MAGISTRATE JUDGE
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EXHIBIT A

United States District Court
Violation Notice

(Rev. 1/2019)

Location Code CA14	Violation Number 09887804	Officer Name (Print) I. W. W. W.	Officer No. W1530
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YOU ARE CHARGED WITH THE FOLLOWING VIOLATION

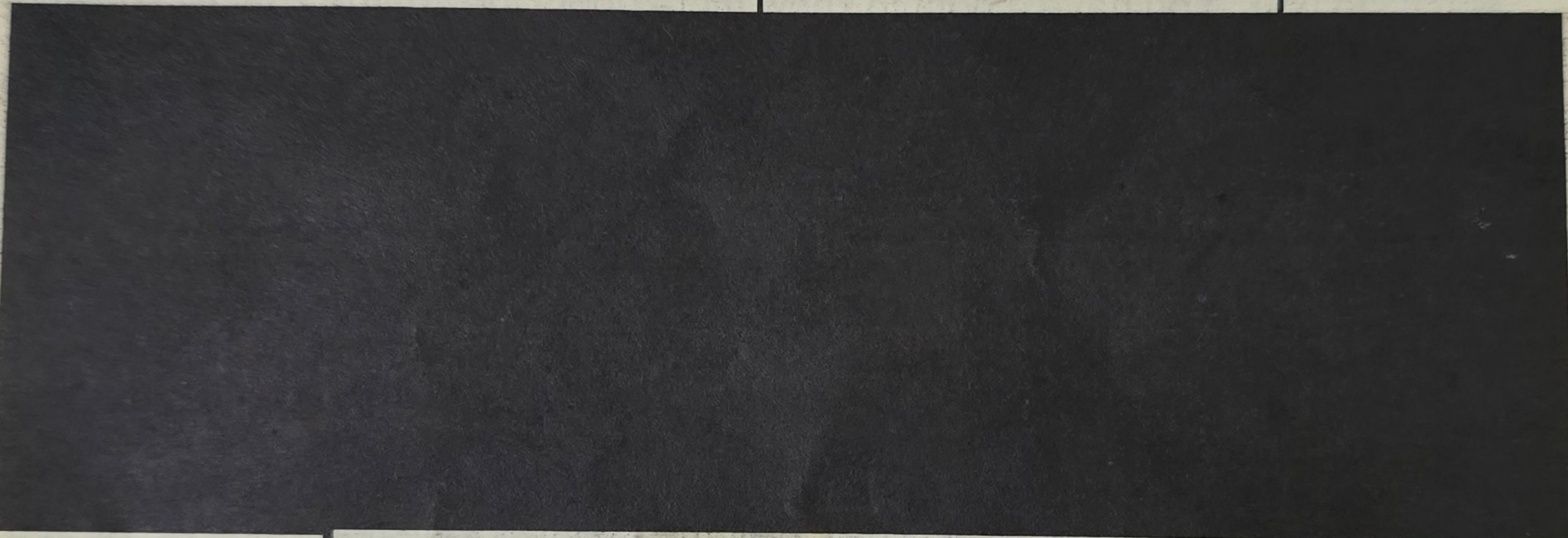
Date and Time of Offense 03/06/2025 3:46	Offense Charged <input type="checkbox"/> CFR <input type="checkbox"/> USC <input type="checkbox"/> State Code 18 USC 13 22349 (a)
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Place of Offense
120" MMO Edwards AFB 93529

Offense Description: Factual Basis for Charge
100 CUL 22349 (a) 77mph in a posted 55 mph zone
BA 412 MXI 5137 Reg 391
HAZMAT ☐

DEFENDANT INFORMATION

Last Name Burrell	First Name Moses	M.I. L
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VEHICLE VIN: 1C4TRK... 4K6251924 CMV ☐

Tag No. DU33321	State CA	Year 21	Make/Model Jeep Cherokee	PASS <input type="checkbox"/>	Color Blue
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APPEARANCE IS REQUIRED

A ☐ If Box A is checked, you must appear in court. See instructions (on reverse side).

PAY THIS AMOUNT AT
www.cvb.uscourts.gov →

APPEARANCE IS OPTIONAL

B ☐ If Box B is checked, you must pay the total collateral due or in lieu of payment appear in court. See instructions (on reverse side).

\$ 100 Forfeiture Amount
+ \$30 Processing Fee

\$ 130 Total Collateral Due

YOUR COURT DATE

(If no court appearance date is shown, you will be notified of your appearance date by mail.)

Court Address US Court House 510 1st Street Bakersfield CA 93301	Date Time (hh:mm)
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My signature signifies that I have received a copy of this violation notice. It is not an admission of guilt. I promise to appear for the hearing at the time and place instructed or in lieu of appearance pay the total collateral due.

X Defendant Signature

Defendant Copy

